

## Message Text

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ACTION ACDA-10

INFO OCT-01 ISO-00 ERDA-05 AF-06 ARA-06 CIAE-00 DODE-00

EA-06 EUR-12 PM-03 H-02 INR-07 IO-10 L-03 NASA-01

NEA-10 NSAE-00 NSC-05 OIC-02 SP-02 PA-01 PRS-01

OES-03 SS-15 USIA-06 SAJ-01 COME-00 /118 W

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P R 181932Z JUN 75

FM USMISSION GENEVA

TO SECSTATE WASHDC PRIORITY 3859

INFO AMEMBASSY MOSCOW

USMISSION NATO BRUSSELS

C O N F I D E N T I A L SECTION 1 OF 2 GENEVA 4628

DEPARTMENT PLEASE PASS TO NOAA.

GENEVA ENMOD MESSAGE NUMBER FOUR.

EO 11652: XGDS-3 DATE IMPOSSIBLE TO DETERMINE

TAGS: PARM CCD UN US UR

SUBJ: US-USSR BILATERALS ON ENVIRONMENTAL MODIFICATION:

SECOND PLENARY

1. SUMMARY: SECOND PLENARY SESSION DEVOTED TO DETAILED DISCUSSION OF DIFFERENCES BETWEEN PREAMBLES AND ARTICLES I AND II OF US AND SOVIET DRAFT TEXTS. FEDOROV SAID SOVIET SIDE IS WILLING TO INCLUDE A REFERENCE IN SOME MANNER TO "WIDESPREAD, LONG-LASTING, OR SEVERE EFFECTS" IN ARTICLE I IN A JOINT OR BRACKETED DRAFT. HE DID NOT PROPOSE COMPLETE TEXT FOR ARTICLE I, PARAGRAPH ONE. FEDOROV CONTINUED TO INSIST THAT MILITARY R&D SHOULD BE PROHIBITED. END SUMMARY.

2. SECOND PLENARY SESSION OF US-USSR BILATERALS ON LIMITATIONS ON MILITARY ENVIRONMENTAL MODIFICATION ACTIVITIES BEGAN AT SOVIET MISSION AT 10:00 A.M.

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FEDOROV WAS IN CHAIR. FEDOROV OPENED BY STATING THAT

THE SOVIET SIDE HAD STUDIED THE US DRAFT CAREFULLY, AND HAD CONCLUDED THAT IT WAS PRACTICALLY THE SAME AS THAT SUBMITTED DURING ROUND II OF THE BILATERALS IN WASHINGTON EXCEPT FOR THE LIST OF PROHIBITED ACTIVITIES WHILE THIS WAS A POSITIVE DEVELOPMENT, IT WAS "A PITY" THAT THIS WAS THE ONLY REVISION DESPITE THE FACT THAT THERE WERE OTHER POINTS DISCUSSED AND, HE ASSERTED, AGREED UPON IN WASHINGTON, FEDOROV THOUGHT IT POSSIBLE TO MAKE PROGRESS DESPITE DIFFERENCES, IF DISCUSSION COULD GO BEYOND THE PREVIOUSLY EXPRESSED US POSITION FROM SECOND ROUND OF BILATERALS. IF NOT, THEN DISCUSSION OF DIFFERENCES WOULD HAVE TO TAKE PLACE IN SOME OTHER PLACE AND AT SOME OTHER LEVEL, FOR EXAMPLE AT THE CCD. FEDOROV PROPOSED ATTEMPTING TO WORK OUT, AD REFERENDUM, A MUTUALLY ACCEPTABLE DRAFT, PROCEEDING POINT BY POINT THROUGH THE TWO DRAFTS CURRENTLY ON THE TABLE. DAVIES AGREED TO EXPLORE POSSIBILITIES OF THIS APPROACH.

3. IN PREAMBLE, SOVIETS AGREED TO DELETE PHRASE "AND HEALTH" FROM THIRD PREAMBULAR PARAGRAPH, BRINGING SECOND THROUGH FOURTH PARAGRAPHS INTO IDENTICAL FORM WITH US PARAGRAPHS ONE THROUGH THREE (SAVE FOR DIFFERENCES IN TRANSLATION). FURTHER CHANGES MAY BE NECESSARY IN LIGHT OF PARAGRAPH FIVE OF SOVIET TEXT. (SEE PARA. 5 BELOW.)

4. REGARDING PARAGRAPH ONE OF PREAMBLE IN SOVIET DRAFT, SOVIET SIDE QUESTIONED US OBJECTION TO ITS INCLUSION. DAVIES REPLIED THAT US SIDE IN GENERAL WAS TRYING TO AVOID UNNECESSARY OR EXTRANEIOUS MATERIAL. FEDOROV SAID SOVIETS ARE INTERESTED IN STRENGTHENING PEACE, AND IN ATTEMPTING TO ELIMINATE DANGERS OF NEW WEAPONS. PRESENT CONVENTION DIFFERS FROM ALL OTHERS IN THE ARMS CONTROL FIELD IN BEING ADDRESSED TO THIS LATTER PROBLEM. HE NOTED THAT THOUGHT EXPRESSED IN PARA. ONE IS THE SAME AS THAT IN OPENING PARA. OF US-USSR JOINT STATEMENT OF JULY 1974.

5. REGARDING PARAGRAPHS FIVE, SIX AND SEVEN, OF SOVIET DRAFT, DAVIES STATED THAT US THOUGHT THEM REDUNDANT AND LIKELY TO CREATE CONFUSION AND THEREFORE UNNECESSARY. CONFIDENTIAL

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HE PROPOSED DEFERRING THEIR DISCUSSIONS. FEDOROV RESPONDED THAT PARA. FIVE WAS SPECIFICALLY RELATED TO SUBJECT MATTER OF PRESENT CONVENTION, WHILE OTHERS WERE INCLUDED IN PRACTICALLY ALL CONVENTIONS. DAVIES REJOINED THAT POINT MADE IN PARA. FIVE ALREADY COVERED IN PARA. THREE. FEDOROV AGREED TO DISCUSS POSSIBILITY OF COMBINING PARAS. THREE AND FIVE, LATER ON, AND MOVED ON TO SUBSTANTIVE ARTICLES.

6. REGARDING ARTICLE I, PARA. ONE, OF BOTH TEXTS, FEDOROV SAID HE WANTED TO REMIND US SIDE THAT TWO SIDES HAD AGREED IN WASHINGTON THAT WORD "HOSTILE" WOULD BE INCORPORATED INTO TEXT. FEDOROV THEN PROPOSED LEAVING PHRASE "OR OTHER HOSTILE" IN SOVIET TEXT, AND ADDING, AFTER WORD "USE", THE FOLLOWING PHRASE INCORPORATING US FORMULATION OF "WIDESPREAD, ETC.": THIS COULD HAVE WIDESPREAD, LONG-LASTING, OR SEVERE EFFECTS." WITHOUT GIVING US SIDE CHANCE TO RESPOND, FEDOROV THEN SHIFTED TO QUESTION OF RESEARCH AND DEVELOPMENT, PROPOSING NOT TO DISCUSS QUESTION "HERE." HOWEVER, KASHIRIN BROKE IN, SAYING THAT SOVIETS HAD PICKED UP THE AMERICAN TERMINOLOGY OF "RESEARCH AND DEVELOPMENT" IN THEIR REVISION OF THEIR DRAFT, AND THEN ARGUED THAT STATES SIGNING THE CONVENTION WOULD HAVE SUFFICIENT AUTHORITY TO PROHIBIT MILITARY RESEARCH AND DEVELOPMENT WITHIN THEIR STATE. HE CITED 1969 DECISION OF US PRESIDENT THAT AMERICAN GOVERNMENT WOULD TRANSFER TO PEACEFUL USES MILITARY FACILITIES DEVOTED TO BIOLOGICAL WARFARE RESEARCH. HE ALSO CITED MARCH 26 CCD STATEMENT OF AMBASSADOR MARTIN, WHEN BIOLOGICAL CONVENTION (BWC) ENTERED INTO FORCE, THAT US HAS NO BIOLOGICAL WEAPONS AND THAT ALL BIOLOGICAL RESEARCH HAS BEEN DEDICATED TO PEACEFUL PURPOSES. THIS SHOWS, HE SAID, IT IS POSSIBLE TO PROHIBIT SCIENTIFIC RESEARCH AND DEVELOPMENT.

7. DAVIES REPLIED ON THIS POINT THAT US WAS WELL AWARE OF TREATMENT OF R&D IN BWC, BUT THAT EACH TREATY MUST BE RATED ON OWN GROUNDS. IN BWC, IT IS DIFFICULT TO IMAGINE PEACEFUL RESEARCH ON BIOLOGICAL WARFARE, AND DISTINGUISHING BETWEEN PEACEFUL AND WARLIKE RESEARCH IS A MINOR PROBLEM. IN THE CASE OF ENMOD, EXTENSIVE RESEARCH

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IS ALREADY UNDERWAY; IT WOULD BE DIFFICULT TO ESTABLISH THAT IT COULD NOT BE USED FOR WARLIKE PURPOSES. THERE IS ALSO A PROBLEM WITH MILITARY PERSONNEL WHO ARE INVOLVED IN CIVILIAN RESEARCH, IN MANY NATIONS: FOR EXAMPLE THE COSMONAUTS. RESPONDING TO FEDOROV'S ARGUMENT IN FIRST PLENARY THAT OTHER COUNTRIES MIGHT PRESS FOR INCLUSION OF R&D PROHIBITION, DAVIES CONTINUED THAT US AND USSR, IN NOT PROVIDING FOR SUCH A PROHIBITION, COULD PRESENT

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COGENT ARGUMENTS FOR DOING SO. HE NOTED LACK OF CONCERN  
ON THIS POINT IN US DISCUSSIONS WITH SOME OTHER NATIONS.

8. FEDOROV THEN ENTERED DISCUSSION TO NOTE THAT IT IS  
EXTREMELY IMPORTANT TO PROHIBIT MILITARY R&D IN THIS  
AREA, WHERE SO MUCH LIES IN THE FUTURE. ALL MILITARY USES  
WILL DEPEND ON SCIENTIFIC RESEARCH AND DEVELOPMENT.  
HE THEN AGAIN PROPOSED TO DEFER FURTHER DISCUSSION OF  
R&D ISSUE. DAVIES AGREED.

9. DURING RECESS, DAVIES SPOKE PRIVATELY TO FEDOROV  
AND ASKED IF SOME OTHER FORMULATION MIGHT BE SUBSTITUTED  
FOR "OTHER HOSTILE". FEDOROV DID NOT REJECT THIS IDEA  
BUT NO TEXT WAS DRAFTED.

10. ON RESUMPTION OF PLENARY DISCUSSION, FEDOROV STATED  
THAT HE THOUGHT SIDES COULD WORK OUT SOMETHING, SO THAT  
ONLY THE DIFFERENCE ON R&D WOULD REMAIN IN ARTICLE I,  
PARA. ONE. HE SAID BOTH SIDES HAD AGREED TO REVIEW  
PARAGRAPH ONE TO ATTEMPT TO COME TO AGREEMENT.  
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11. REGARDING ARTICLE I, PARAGRAPH TWO, FEDOROV NOTED OMISSION OF "GROUP OF STATES OR INTERNATIONAL ORGANIZATIONS" FROM US DRAFT. KASHIRIN TOOK OVER TO DISCUSS THIS "DIPLOMATIC AND LEGAL" PROBLEM, AND ARGUED THUT EXISTENCE OF MILITARY ALLIANCES REQUIRED INCLUSION OF ABOVE LANGUAGE. PRECEDENT HAD BEEN SET BY BWC ARTICLE III; THE PRINCIPLE HAD BEEN ACCEPTED BY STATES, AND IT WAS NOT REASONALBE TO PUT IT ASIDE. MANY STATES WOULD ASK WHY THE BROADER PROHIBITION WAS NOT IN THE TEXT.

12. GIVEN RESPONDED FOR US, NOTING THAT SEABEDS TREATY AMONG OTHERS IS SIMILAR TO US DRAFT ON THIS POINT. DAVIES SUGGESTED LEAVING PROBLEM UNTIL LATER.

13. FEDOROV OPENED DISCUSSION OF ARTICLE II SAYING THAT THERE SHOULD BE A CLEAR UNDERSTANDING THAT A STATE HAS A RIGHT TO UNDERTAKE ANY ACTION ON ITS OWN TERRITORY IF THE EFFECTS DO NOT OCCUR OUTSIDE ITS TERRITORY. HE CITED TREATMENT OF UNDERGROUND TESTING IN 1963 LIMITED TEST BAN TREATY AS A PRECEDENT.

14. DAVIES REPLIED THUT THERE ARE SEVERAL PROBLEMS WITH SOVIET LANGUAGE: IT WOULD PERMIT USE OF ENMOD TECHNIQUES AGAIN AN INVADING OR COUNTER-ATTACKING FORCE. THIS LANGUAGE WOULD IMPLY THAT MILITARY RESEARCH FOR SUCH A PURPOSE WOULD BE PERMITTED, WHICH CONTRADICTS SOVIET PROPOSAL FOR ARTICLE I. CONTRARY TO WHAT FEDOROV HAD SAID YESTERDAY, THIS LANGUAGE WOULD NOT HELP ON QUES- TION OF FACILITATIVE USES, SOME OF WHICH MIGHT OCCUR OUTSIDE OF ONE'S OWN TERRITORY. IF PURPOSE OF LANGUAGE WAS TO PROTECT PEACEFUL RESEARCH, IT IS SUPERFLUOUS; THAT RESEARCH IS COVERED BY OTHER ARTICLES IN BOTH DRAFTS.

15. FEFOROV SAID TI WAS IMPORTANT TO BOTH US AND USSR TO BE ABLE TO CUT OFF AT THE VERY START ANY COMPLAINT ABOUT PEACEFUL EXPERIMENTS SINCE US AND USSR WOULD BE THE MOST ACTIVE IN THIS FIELD.

16. FEFOROV TURNED TO PARA. 2 OF ARTICLE II. HE SAID THAT THE LOGIC OF THE SOVIET DRAFT WAS FIRST TO IDENTIFY

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THE ENVIRONMENTAL ELEMENTS TO BE ADDRESSED AND THEN TO GO ON TO LIST PHENOMENA OR PROCESSES MODIFICATIONS OF WHICH WOULD BE PROHIBITED. HE SAW NO LOGIC IN THE US DRAFT. DAVIES REPLIED THAT US DRAFT COVERED SAME GROUND AS SOVIET DRAFT.

17. FEDOROV ARGUED THAT US LIST WAS NOT CONSISTENT IN LEVEL OF GENERALITY. CLIMATE MODIFICATION AND OCEAN

ITEMS WERE VERY BROAD CONCEPTS AND REPRESENTED VERY DISTANT PERSPECTIVES. EARTHQUAKES AND TSUNAMIS WERE ALSO REMOTE BUT WERE REASONABLY CONCRETE. FEDOROV QUESTIONED WHY PRECIPITATION ITEM RELATED ONLY TO FLOODING AND DROUGHT. HE PROFESSED NOT TO UNDERSTAND OMISSION OF CLOUD OR FOG MODIFICATION SINCE TECHNIQUES FOR THIS ALREADY EXIST.

18. FEDOROV ASKED IF US COULD ADD ITEMS ON MODIFICATION OF OZONE LAYER AND IONOSPHERE, AND ONE ON CLOUDS AND RAIN (LATTER NOT LIMITED TO FLOODS AND DROUGHT). DAVIES REPLIED THAT HE COULD NOT AGREE TO ANY SPECIFIC ITEMS AT THIS POINT ,BUT PROMISED TO CONSIDER THEM.

19. FEDOROV SUMMED UP BY SAYING THAT THE PREAMBLE DID NOT PRESENT ANY MAJOR PROBLEM, THE DISCUSSION OF ARTICLE I HAD BEEN HELPFUL AND A MUTUALLY ACCEPTABLE TEXT COULD BE DRAFTED (EXCEPT FOR R&D), AND HE BELIEVED THAT IT WOULD BE POSSIBLE TO COMBINE TEXTS OF RESPECTIVE DRAFTS OF ARTICLE II.

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## Message Attributes

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